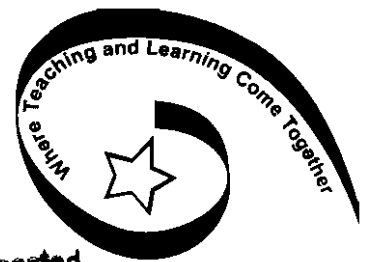


South Lyon Community Schools

22727 Griswold Road • South Lyon, Michigan • 48178



November 23, 2009

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Received & Inspected

DEC - 8 2009

FCC Mail Room

Request for Review
CC Docket No. 96-45 and CC Docket No. 02-6

Re: Appeal of Clerical Error Regarding Category of Service from Telecommunications to Internet on Form 471 646609

Contact Person:

Cheryl Harrison
Technology Department Data Processor
South Lyon Community Public Schools
345 South Warren
South Lyon, MI 48178
248-573-8915 Phone
harrisonc@slcs.us
Billed Entity Number 130917
Form 471 Application Number 646609
Funding Year 12
Funding Request Numbers: 1781010

Dear Marlene H. Dortch:

On 09/03/2009 the South Lyon Community School District received their Year 12 Funding Commitment Decision Letter (FCDL). The South Lyon Community School District made a clerical error for FRN # 1781010 on Form 471 Application # 646609. FRN # 1781010 Block 5 item 11 indicated a category of service of telecommunications which should have been Internet. Because of the clerical error the FCDL indicated a denial because there was no telecommunications category indicated on the referenced Form 470 165960000686694.

During the PIA review there were over 17 questions responded to by South Lyon Community School District. Two (2) of which concerning FRN 1781010. (See attached file South Lyon PIA Responses Yr-12.) One concerned this category of service issue; the next was a need for a bill or contract documentation for the cost. Interestingly another FRN 1781005 was changed by the PIA reviewer during informal discussion from telecommunications category to Internet to correspond with the indicated Form 470 165960000686694. (See attached file South Lyon FCDL Yr-12. Under remarks FRN 1781010

Mission Statement

In support of our community, the mission of the South Lyon Community Schools is to provide the highest quality educational process so that all students can excel as individuals and become contributing members of society.

Approved _____
by APODE

South Lyon Community Schools

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was denied funding and FRN 1781005 categories was changed from telecommunication to internet.) USAC does not indicate in their denial acknowledgement of FRN 1781005 which was changed from "telecommunications category" to "Internet category." It is not understood why one FRN can be changed through informal discussion with PIA and another denied without any discussion.

USAC further indicates in their denial that Applicant should have made corrections to their Form 470 during the Receipt Notification Letter (RNL) review process. USAC further states that Applicant is not permitted to edit "category" during the RNL process because it is against program rules. Applicant sees this as unfair. Applicant strongly suggests that USAC update their online edit routines to produce an error message which informs applicants of the Form 470 entered in the Block 5 of not having a corresponding category selected in the Block 5. Presently there are several "stop not permitted to go further" error routines at the Block 5 level. It would be a well received enhancement.

In the recent Bishop Perry Order, the FCC directed USAC "to provide all E-Rate applicants an opportunity to cure ministerial and clerical errors on their FCC Form 470 or Form 471."

South Lyon Community School District seeks positive support from USAC to approve this appeal immediately so that the district may receive the full discount it is entitled according to program rules. Errors by applicants in calculating cost, clerical errors, and errors by the SLD in reviewing these, will inevitably occur. But mistakes on both sides happen with a program as complicated and administratively burdensome as the E-Rate.

Sincerely,

James Graham
Assistant Superintendent of Business
South Lyon Community Public Schools
345 South Warren
South Lyon, MI 48178
248-573-8119 Phone
248-573-8136 Fax
grahamj@slcs.us

(Attached file South Lyon PIA Responses Yr-12.)

(Attached file South Lyon FCDL Yr-12.)

Mission Statement

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FUNDING COMMITMENT REPORT
Billed Entity Name: SOUTH LYON COMM SCHOOL DIST
SEN: 130917
Funding Year: 2009

Comment on RAL corrections: The Form 471, Block 1 was modified in accordance with applicant's request.

Form 471 Application Number: 646604
Funding Request Number: 1781005
Funding Status: Funded
Category of Service: Internet Access
Form 470 Application Number: 165960000686694
SPIN: 143001727
Service Provider Name: Michigan Bell Telephone Company
Contract Number: Contract
Billing Account Number: 248 R21- 1015 667 2
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2009
Service End Date: N/A
Contract Award Date: 12/18/2008
Contract Expiration Date: 06/30/2012
Shared Worksheet Number: 1038714
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$30,181.44
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$ 00
Pre-discount Amount: \$30,181.44
Discount Percentage Approved by the USAC: 43%
Funding Commitment Decision: \$12,676.20 - FRN approved, modified by SLD
Funding Commitment Decision Explanation: MR1 The FRN was modified from
\$4,312.63/month to \$2,515.12/month to agree with the applicant documentation.
MR2: The category of service was changed from Telecommunications to
Internet Access in accordance with program rules
ECOL Date: 09/03/2009
Wave Number: 019
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

Category Switch allowed.

FUNDING COMMITMENT REPORT
Billed Entity Name: SOUTH LYON COMM SCHOOL DIST
BEN: 130917
Funding Year: 2009

Comment on RAL Corrections: The Form 471, Block 1 was modified in accordance with applicants request

Form 471 Application Number: 646609
Funding Request Number: 1781010
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 165960000686674
SPIN: 143000076
Service Provider Name: McLeodUSA Telecommunications
Contract Number: MIM
Billing Account Number: N/A
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2009
Service End Date: 06/30/2010
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number: 1038714
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$7,200.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$ 00
Pre-discount Amount: \$7,200.00
Discount Percentage Approved by the USAC: 4.0%
Funding Commitment Decision: \$0.00 - Since not requested on F-470
Funding Commitment Decision Explanation: 091. The 470 cited did not include service of this type, therefore it does not meet the 28 day competitive bidding requirement

FCDL Date: 09/03/2009
Wave Number: 019
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

Category switch not allowed.

Robert Sheldon

Schools and Libraries Division

Program Integrity Assurance

Phone: 973-581-5086

FAX: 973-599-6579

e-mail: rsheldo@sl.universalservice.org

FRN 1781010: Referencing form 470 requested

Note: You had previously asked whether the form 470 indicated on the 471 is the establishing form 470. You had not answered the question, instead requesting to change the service category from Telecommunications to Internet Access. However, the bill that you had provided indicated this is a telecom request ("Point to Point T-1"), therefore a form 470 that posts for telecom is needed.

- I. On your original Form 471 you indicated that Form 470 # 165960000686694 is the establishing Form 470 for the service requested in FRN 1781010. This FRN is for **Telecommunications**, but the referenced Form 470 did not post for this service category, which is a violation of the competitive bidding requirements of this program.

Is the referenced Form 470 is the establishing Form 470 for this service? ☒ Yes ☐ No

If the referenced Form 470 is NOT the establishing Form 470 please provide the 15-digit Form 470 number that did establish the bidding for this service.

Please change the category of service from Internet to Telecommunications for the T1 request on Form 470 #165960000686694. It was a clerical error. Thanks.

FRN 1781008 and 1781009: Contract End Date questions

- II. Previously, you had provided a copy of the contract that verified the Contract Award Date as 11/26/2006 instead of 11/26/2008. However, this appears to be a three year contract, and you had indicated a contract end date of 6/30/2012 on your form 471. Please provide a copy of any extensions which show the expiration date of 6/30/2012.

The following is from the signing date contract of 12-18-2008. Please note that the signing date and beginning service date are at the discretion of the school district. The school district requested that the 36 month contract begin 7-1-2009 according to program rules but signed the contract six months earlier; also to program rules.

In summary the school district signed a 36 month contract to begin on 7-1-2009 and end 6-30-2012.

2. PRICING SCHEDULE TERM AND EFFECTIVE DATES

Pricing Schedule	Term Start Date
Term	
36 Months	Effective Date of this Pricing Schedule or the date that the initial Service Component is enabled for Customer use, whichever is later
Effective Date of Rates and Discounts	Effective Date of this Pricing Schedule

Robert Sheldon

Schools and Libraries Division

Program Integrity Assurance

Phone: 973-581-5086

FAX: 973-599-6579

e-mail: rsheldo@sl.universalservice.org

FRN 1781010 McLeod T-1 service – Contract provided was from AT&T; the requested service provider on the form 471 is McLeod USA Telecommunications.

- I. For FRN(s) 1781010, the documentation provided in the Item 21 Attachments is not sufficient to determine the eligibility of your request. The contract you provided appears to be for AT&T; however you requested McLeod USA Telecommunications as your service provider. **Please provide a copy of the contract from McLeod which identifies the actual products and services being requested, and which supports your requested amount of \$600/month (as was previously requested).** Your documentation should identify the specific products and services such as make, model, and description of the product/service being delivered. If you do not have this information, you will need to contact your vendor and request such documentation. The vendor should be able to provide you with detailed documentation.

Any documentation provided should clearly identify all eligible and ineligible charges that were cost allocated out of your request. If you are unable to justify the eligibility of charges requested on your Form 471, the funding request may be reduced or denied.

Attached is the Bill for FRN # 1781010 Contact me if you have further questions. Thanks..